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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,851	10/17/2003	Susan B. Cirulli	END920030048US1	9562

23550 7590 02/11/2008  
HOFFMAN WARNICK & D'ALESSANDRO, LLC  
75 STATE STREET  
14TH FLOOR  
ALBANY, NY 12207

EXAMINER
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POND, ROBERT M

ART UNIT	PAPER NUMBER
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3625

NOTIFICATION DATE	DELIVERY MODE
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02/11/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTOCommunications@hwdpatents.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/687,851	<b>Applicant(s)</b> CIRULLI ET AL.	
	<b>Examiner</b> Robert M. Pond	<b>Art Unit</b> 3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Amendment***

Applicants amended independent claims 1, 10 and 21. All pending claims 1-31 were examined in this final office action necessitated by amendment.

### ***Response to Arguments***

Applicant's arguments filed 13 November 2007 have been fully considered but they are not persuasive. Okada discloses the same application is used to make the item requests and make item approvals. See at least col. 10, line 52-col. 11, line 3. Okada teaches the structures and computing system necessary to permit simultaneous approvals. This is not a single user system. Please see below.

Regarding Applicants' request for well-known in the arts document, US 2002/0013716 is offered as an example of known methods of creating a tickler list generated as a report that indicates action items that need to be completed and/or action items that are overdue. See abstract; 0061.

### ***Claim Rejections - 35 USC § 102***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

**1. Claims 1-8, 11-19 and 21-30 are rejected under 35 USC 102(e) as being anticipated by Okada (US 6,910,018).**

Okada teaches all the limitations of claims 1-8, 11-19, 21-30. For example, Okada discloses a purchase request approval system, method, and computer program product (see at least abstract; Fig. 1; Figs. 2-4; col. 1, line 5-col. 2, line14). Okada further discloses:

- logging an approver into an application used to make item requests:  
approver logs into application used to make items to approve item requests (see at least Fig. 9; col. 4, lines 40-64; col. 10, lines 43-57; col. 10, line 52-col. 11, line 3; col. 19, lines 47-54).
- displaying a view containing a set of item requests to the approver: (see at least Fig. 24; col. 19, line 54-col. 20, line 8).
- receiving an approval determination for at least one of the set of item requests from the approver: (see at least Fig. 8; Figs 25 & 26; col. 20, line 9-col. 21, line21).
- and updating an approver list corresponding to the at least one of the set of item requests based on the approval determination. list updated (see at least col. 20, lines 28-54), Inherent in Okada are the structures necessary to permit receiving is adapted to receive a plurality of approval determinations simultaneously. For example, Okada discloses a plurality of client terminals connected to the system access the item

requesting/approval system without imposed access restrictions or approval processing restrictions. See at least abstract; Fig. 1; col. 4-col. 6.

- Claim 2. receiving comments from the approver based on the approval determination. Comments based on approval determination (see at least Fig. 8 (“A reply for purchase-requested article”).
- Claim 3. displaying an informational message to the approver, prior to receiving the approval determination. Comments send by requester (see at least Fig. 7 (“Please approve purchase request”).
- Claim 4. communicating an approval message to the approver prior to the logging step, wherein the approval message informs the approver of the at least one item request requiring approval; after approver logs into the system the system displays a list or pending requests as noted above (see at least Fig. 24).

and forwarding the approval message to a subsequent approver in the approver list after the updating step. Approver receives list via display as noted above.

- Claim 5. verifying an authorization of the approver to make the approval determination. System determines requester vs. approver as noted above (see at least col. 4, lines 40-64).
- Claim 6. communicating a result message to a requestor based on the approval determination. Approval or rejection message is sent by approval system as noted above pertaining to Fig. 7 & 8.

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- Claim 7. updating an approval status corresponding to the at least one item request, wherein the approval status is selected from the group consisting of approved, rejected and pending. “wait for approval”, approved, rejected (see at least col. 12; lines 54-60; col. 20, lines 26-27, 48).
- Claim 8. wherein the approval determination is selected from the group consisting of approved and rejected. As noted above.
- shopping cart. (see at least Fig. 13; Fig. 17; col. 11, lines 54-63).

Pertaining to system claims 11-19

Rejections of claims 10-20 are based on the same disclosures/rationale as noted above.

Pertaining to program product claims 21-30

Rejections of claims 21-31 are based on the same disclosures/rationale as noted above. Uses software embodied in computer readable medium.

***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. **Claims 9, 20 and 31 are rejected under 35 USC 103(a) as being unpatentable over Okada (US 6,910,018).**

Okada teaches all the above as noted in the 102(e) rejection and further teaches i) providing “convenient” data input methods for both requester and approver (see at least col. 19, lines 44-46; col. 21, lines 15-16), ii) “efficient” input, requesting, and approval/rejection processes (see at least col. 1, lines 29-24), iii) storing personnel IDs of approvers, and further teaches searching the system’s database using the approver’s id to display purchase requests (see at least col. 12, lines 22-39). Although Okada does not disclose wherein the approver list identifies approvers that have approved the at least one item request, and approvers that have yet to approve the at least one item request it would have been obvious to one of ordinary skill in the art that a user, through repeated searches could search every approver by personnel ID to ascertain approvers who have and have not approved at least one item request or simply implement a listing feature for the purpose of ascertaining overall system efficiency. Please note: dependent claims are merely listing data that has no consequence to the parent claim.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: US 2002/0013716 (Dunham et al.) 31 January 2002; teaches creating a tickler list generated as a report that indicates action items that need to be completed and/or action items that are overdue. See at least abstract; 0061.



Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Pond whose telephone number is 571-272-6760. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert M. Pond/  
Primary Examiner, Art Unit 3625  
January 30, 2008